

## REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

This Amendment is being filed concurrently with a Request for Continued Examination.

The claims currently pending in this application are Claims 1-4, 6, 7, and 16-30, with Claims 1, 17 and 26 being the only independent claims.

Independent Claims 1, 17 and 26 have been rejected as being anticipated by the disclosure in U.S. Patent No. 6,113,627 to *Jang*. The Examiner is kindly thanked for providing an annotated copy of portions of the drawing figures from *Jang* explaining the interpretation upon which the anticipatory rejection is based. In this regard, it is understood that the connecting struts 44` illustrated in Fig. 4 of *Jang* have been interpreted as corresponding to the waved connecting members recited in the independent claims of this application.

To more clearly recite one of the differences between the stent at issue here and the disclosure in *Jang*, generally speaking, the independent claims have been amended to recite that the waved connecting member(s) comprises a **plurality** of waves disposed between portions of one of the waved elements forming one of the annular expanding members. By way of example, and with reference to the illustration in Fig. 2, the present application describes in lines 17-19 of page 10 and in lines 19-21 of page 11 that the connecting element 121 comprises a plurality of waves situated in the clearance between portions of the waved element 111 (e.g., adjacent linear segments 111a of the waved element 111).

Independent Claim 1 has been amended to recite that the plurality of waves comprising each waved connecting member includes a **plurality** of waves positioned between portions of a single one of the waved elements. Thus, for example, with reference to Fig. 2, a plurality of waves 121a, 121b of one waved connecting member are positioned between portions of one of the waved elements forming the annular expanding member. Similarly, a plurality of waves 122a, 122b of another waved connecting member are positioned between portions of one of the waved elements constituting the annular expanding member.

Independent Claim 17 has been amended to recite that the plurality of waves forming each of at least two of the waved connecting members includes a **plurality** of waves positioned between the substantially linear segments of the first annular expanding member.

Finally, independent Claim 26 has been amended to recite that the plurality of waves forming each of at least two of the waved connecting members includes a **plurality** of waves positioned between the substantially linear segments of the second annular expanding member.

In the case of *Jang*, the connecting struts 44` do not include a plurality of waves positioned between portions/substantially linear segments of one of the expanding members. Nor is there any disclosure or suggestion in *Jang* that the construction of the disclosed stent should be modified to include such an arrangement.

It is thus respectfully submitted that independent Claims 1, 17 and 26, as well as the dependent claims, are patentably distinguishable over the disclosure

contained in *Jang*. Accordingly, withdrawal of the rejection of record and allowance of this application are earnestly solicited.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

Buchanan Ingersoll PA

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By: Matthew L. Schneider  
Matthew L. Schneider  
Registration No. 32,814

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620